

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 07, 2025

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Phillip Monaghan

Case Number: 0980 2:19CR00206-TOR-1

Address of Offender: [REDACTED] Bridgeport, Washington 98813

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 3, 2021

Original Offense: Sexual Abuse in Indian Country, 18 U.S.C. § 2242(2), 2246(2)(A), 1153

Original Sentence: Prison - 40 months
TSR - 120 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 1 month
(07/27/2023) TSR - 120 months

Asst. U.S. Attorney: Earl Allan Hicks

Date Supervision Commenced: August 17, 2023

Defense Attorney: Andrea George

Date Supervision Expires: August 16, 2033

PETITIONING THE COURT

To issue a warrant.

On August 17, 2023, Mr. James Phillip Monaghan, III, signed his conditions relative to case number 2:19CR00206-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Special Condition #9: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Monaghan violated the terms and conditions of his supervised release by failing to provide a urinalysis as directed on December 27, 2024.

On August 5, 2024, Mr. Monaghan was advised he would be placed on the phase urinalysis testing program at Pioneer Human Services (PHS), in conjunction with his substance abuse treatment. Mr. Monaghan was further advised he would be on the urinalysis testing color brown-1. He was directed to call the testing line every day, and was to report to PHS on the

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days that brown-1 was called, in order to submit to urinalysis testing. Mr. Monaghan acknowledged an understanding of this process.

On December 27, 2024, without being excused and/or contacting the undersigned in any manner, Mr. Monaghan failed to report to PHS to submit to urinalysis testing, as his previously assigned color, brown-1, was scheduled for testing on that date. On December 30, 2024, Mr. Monaghan acknowledged that he failed to report for testing on December 27, 2024.

- 2 **Standard Condition # 13:** You must follow the instruction of the probation officer related tot he conditions of supervision.

Supporting Evidence: It is alleged that Mr. Monaghan violated the terms and conditions of his supervised release by terminating/vacating his placement at the residential re-entry center (RRC) on December 30, 2024, without the approval of his probation officer.

On June 20, 2024, Mr. Monaghan appeared before the Honorable Judge Rice, U.S. District Court Judge, for the purpose of a supervised release revocation hearing and it was at that time he admitted to violations 1-10. The Court held the violations in abeyance and an additional condition was imposed noting that Mr. Monaghan shall reside in an RRC for a period up to 180 days and that he shall abide by the rules/requirements of the facility at the direction of the supervising officer. On August 5, 2024, the undersigned met with Mr. Monaghan and it was explained to him that he was instructed to reside at the RRC until another residence was approved. Mr. Monaghan acknowledged an understanding of this instruction.

On December 30, 2024, the undersigned was made aware by RRC staff that Mr. Monaghan made the decision to abscond from the RRC despite the staff's best intention to have him remain at the RRC. On December 31, 2024, Mr. Monaghan admitted to the undesigned that he vacated his spot at the RRC without permission from the undersigned.

- 3 **Special Condition # 3:** You must live at an approved residence, and must not change your living situation without advance approval of the supervising officer.

Supporting Evidence: It is alleged that Mr. Monaghan violated the terms and conditions of his supervised release on December 30, 2024, by changing his living situation without advanced approval and by moving into a residence that has not been pre-approved by the probation office.

On December 30, 2024, the undersigned was made aware by RRC staff that Mr. Monaghan made the decision to abscond from the RRC despite the staff's best intention to have him remain at the RRC. On December 31, 2024, Mr. Monaghan admitted to the undesigned that he vacated his spot at the RRC without permission from the undersigned and that he moved into a residence that has yet to be approved by U.S. Probation.

- 4 **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

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Supporting Evidence: It is alleged that Mr. Monaghan violated the terms and conditions of his supervised release on December 31, 2024, by failing to report to the U.S. Probation Office as instructed.

On December 30, 2024, in response to Mr. Monaghan failing to provide a urinalysis at PHS on December 27, 2024, the undersigned instructed him to report to the U.S. Probation Office on December 31, 2024, at 9 a.m. On December 31, 2024, at approximately 7 a.m., Mr. Monaghan informed the undersigned he would not be able to make the appointment as he relocated to Bridgeport, Washington.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

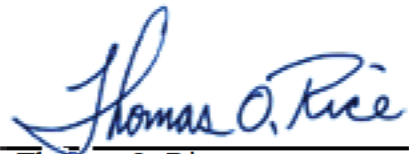
Executed on: 12/31/2024

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge
January 7, 2025

Date